

## PENNIE &amp; EDMONDS LLP

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WRITER'S DIRECT DIAL:  
(202) 496-

## TELEFACSIMILE MESSAGE

Sender: Kesha D. Harris

Pages (including this page): 12

Recipient	Address	Facsimile Number	Your Reference
<u>Linda McDowell</u>	<u>PTO (OIAE)</u>	<u>703-308-7751</u>	

Confirmation copy will not follow.

## MESSAGE:

Enclosed is proof that the response to the notice to file missing parts was filed at the PTO. If you have questions, please call me at (202) 496-4723

Thank you

Kesha Harris

P.S. Also you will find the status request that was filed along with the POA that was filed.

If you have any problems regarding this transmission, please contact at (202) 496-~~4730~~  
4723

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Express Mail No.	EL 477 034 039 US	First Class Mail ( )
Date Mailed	March 6, 2002	Filed: January 29, 2001
Serial No.	09/772,330	
Applicant	Carlos D. FEAR	
FOR:	BLACKBERRY PLANT NAMED "SONOMA"	
<p>The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:</p>		
<p>(X) Status Request</p>		
<p>OTHER:</p>		
File No.	8569-013-999	SENDER: RJR/ALG/PYS/NMoore



Express Mail No.: EL 477 034 939 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carlos D. Fear

Application No.: 09/772,330

Group Art Unit: 1661

Filed: January 29, 2001

Examiner: To Be Assigned

For: BLACKBERRY PLANT NAMED  
"SONOMA"

Attorney Docket No.: 8569-013

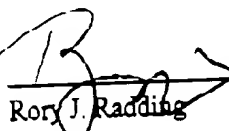
STATUS REQUESTAssistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to M.P.E.P. § 203.08, Applicant respectfully requests to be advised of the status of the above-identified application. On May 7, 2001, a response to Notice to File Missing Parts of Nonprovisional Application was filed with the U.S. Patent & Trademark Office, but to date, Applicant has not received a first Office Action.

No fee is believed due for this request. Should any fee be required, however, please charge the necessary fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date March 6, 2002  
Rory J. Radding

28,749

(Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090


Express Mail No. EI 501 639 938 US First Class Mail ( )  
Date Mailed May 23, 2001 Filed: January 29, 2001  
Serial No. 09/772 330  
Applicant Carlos D. FEAR  
FOR: BLACKBERRY PLANT NAMED "SONOMA"

The stamp of the Patent Office hereon shall be taken as an acknowledgment on the date stamped receipt of the following:

(X) Transmittal of Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71  
( ) Executed Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71

OTHER: \_\_\_\_\_

File No. 8569-013-999 SENDER: ALG/MEP/PYS/NMoore



Express Mail No. EL 501 639 938 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carlos D. Fear

Application No.: 09/772,330

Group Art Unit: 1661

Filed: January 29, 2001

Examiner: To Be Assigned

For: BLACKBERRY PLANT NAMED  
"SONOMA"

Attorney Docket No.: 8569-013

**TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant submits herewith for filing in connection with the above-identified application an executed Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71.

Please direct all correspondence and telephone calls to Pennie & Edmonds LLP at the address indicated below.

Date May 23, 2001

Respectfully submitted,

*Ann L. Gisolfi* by *Marie E. Pasquale* Reg No. 38,265  
31,956

Ann L. Gisolfi

(Reg. No.)

PENNIE & EDMONDS LLP

1155 Avenue of the Americas

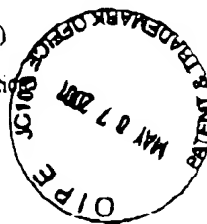
New York, New York 10036-2711

(212) 790-9090

Express Mail No. EL 501 638 858 US First Class Mail ( )  
Date Mailed May 7, 2001 al Filed: January 29, 2001  
Serial No.: 09/772,330  
Applicant: Carlos D. FEAR  
FOR: BLACKBERRY PLANT NAMED "SONOMA"

The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:

- ☒ Response to Missing Parts of NonProvisional Application (in duplicate)
- ☒ Executed Declaration
- ☒ Return copy of Notice to File Missing Parts of NonProvisional Application



OTHER: \_\_\_\_\_

File No. 8569-013-999

SENDER: ALG/MEP/TYS/NMoore

Express Mail No. EL 501 638 858 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carlos D. Fear

Application No : 09/772,330

Group Art Unit: 1661

Filed: January 29, 2001

Examiner: To Be Assigned

For: BLACKBERRY PLANT NAMED  
"SONOMA"

Attorney Docket No.: 8569-013

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATIONAssistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Provisional Application (hereinafter the "Notice") mailed by the U.S. Patent and Trademark Office on March 6, 2001 in connection with the above-captioned application, Applicant submits herewith the following documents:

- (1) executed Declaration; and
- (2) a return copy of the Notice.

In accordance with the Notice, the surcharge for filing the enclosed Declaration is estimated to be \$130.00. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date May 7, 2001

28,749

  
Rory J. Radding

(Reg. No.)

PENNIE &amp; EDMONDS LLP

1155 Avenue of the Americas

New York, New York 10036-2711

(212) 790-9090

Enclosures



## UNITED STATES PATENT AND TRADEMARK OFFICE

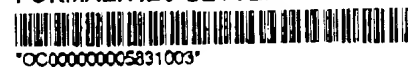
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20501  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/772,330	01/29/2001	Carlos D. Fear	8569-013

20583  
PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

CONFIRMATION NO. 8668

## FORMALITIES LETTER



\*0000000005831003\*

Date Mailed: 03/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

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*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE